

GIBSON, DUNN & CRUTCHER LLP  
JOEL S. SANDERS, SBN 107234  
jsanders@gibsondunn.com  
RACHEL S. BRASS, SBN 219301  
rbrass@gibsondunn.com  
AUSTIN SCHWING, SBN 211696  
aschwing@gibsondunn.com  
555 Mission Street, Suite 3000  
San Francisco, CA 94105  
Telephone: (415) 393-8200  
Facsimile: (415) 986-5309

FARMER BROWNSTEIN JAEGER LLP  
WILLIAM S. FARMER, SBN 46694  
WFarmer@FBJ-law.com  
DAVID BROWNSTEIN, SBN 141929  
DBrownstein@FBJ-law.com  
JACOB ALPREN, SBN 235713  
JAlpren@FBJ-law.com  
235 Montgomery Street, Suite 835  
San Francisco California 94104  
Telephone 415.962.2876  
Facsimile: 415.520.5678

Attorneys for Defendants  
CHUNGHWA PICTURE TUBES, LTD. and  
CHUNGHWA PICTURE TUBES (MALAYSIA)  
SDN. BHD.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 3:07-CV-5944 SC  
MDL No. 1917

This Document Relates To:

*All Indirect Purchaser Actions*

*Sharp Electronics Corp., et al. v. Hitachi Ltd., et al.*, No. 13-cv-1173;

*Sharp Electronics Corp., et al. v. Koninklijke Philips Elecs. N.V., et al.*, No. 13-cv-02776;

[continued on next page]

**DECLARATION OF RACHEL S. BRASS  
IN SUPPORT OF DEFENDANTS'  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PURSUANT TO CIVIL  
LOCAL RULES 7-11 AND 79-5(d)  
DOCUMENTS RELATED TO  
DEFENDANTS' JOINT OPPOSITIONS TO  
DIRECT ACTION PLAINTIFFS'  
MOTIONS IN LIMINE NOS. 1-18 AND  
INDIRECT PURCHASER PLAINTIFFS'  
MOTIONS IN LIMINE NOS. 2, 3, 8, 9, 12,  
13, 15, 16, & 18**

1 *Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;  
2 *Siegel v. Technicolor SA, et al.*, No. 13-cv-05261;  
3 *Best Buy Co., et al. v. Hitachi, Ltd., et al.*,  
4 No. 11-cv-05513;  
5 *Best Buy Co., et al. v. Technicolor SA, et al.*, No.  
6 13-cv-05264;  
7 *Target Corp. v. Chunghwa Picture Tubes, Ltd., et*  
8 *al.*, No. 11-cv-05514;  
9 *Target Corp. v. Technicolor SA, et al.*, No. 13-cv-  
10 05686;  
11 *Sears, Roebuck and Co. and Kmart Corp. v.*  
12 *Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-  
13 05514;  
14 *Sears, Roebuck and Co. and Kmart Corp. v.*  
15 *Technicolor SA, et al.*, No. 13-cv-05262;  
16 *Viewsonic Corp. v. Chunghwa Picture Tubes,*  
17 *Ltd., et al.*, No. 14-cv-02510.

1 I, Rachel S. Brass, hereby declare as follows:

2 1) I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for  
3 Chunghwa Picture Tubes, Ltd. and Chunghwa Picture Tubes (Malaysia) Sdn. Bhd. in the above-  
4 referenced action.

5 2) I submit this declaration in support of Defendants' Administrative Motion to File  
6 Under Seal Pursuant to Civil Local Rules 7-11 and 79-5(d) Documents Related to Defendants' Joint  
7 Oppositions to Direct Action Plaintiffs' Motions in Limine Nos. 1-18 and Indirect Purchaser  
8 Plaintiffs' Motions in Limine Nos. 2, 3, 8, 9, 12, 13, 15, 16, & 18 ("Joint MIL Oppositions"). Unless  
9 otherwise indicated, I have personal knowledge of the foregoing and could and would testify to the  
10 same if called as a witness in this matter.

11 3) On June 18, 2008, the Court approved a "Stipulated Protective Order" in this matter  
12 (ECF No. 306, amended at ECF No. 1142) (the "Protective Order").

13 4) Pursuant to the Protective Order and Local Civil Rules 7-11 and 79-5(d), Defendants  
14 seek to seal the following concurrently-filed documents:

- 15 a) The highlighted portions of Defendants' Joint MIL Oppositions, which contain  
16 quotations or information from documents and/or deposition testimony that certain  
17 Defendants or Plaintiffs have designated "Highly Confidential";
- 18 b) Exhibits 8, 9, and 10 to the concurrently-filed Declaration of Rachel S. Brass in  
19 Support of Defendants' Joint Oppositions to Direct Action Plaintiffs' Motions in  
20 Limine Nos. 1-18 and Indirect Purchaser Plaintiffs' Motions in Limine Nos. 2, 3,  
21 8, 9, 12, 13, 15, 16, & 18 (the "Brass Declaration"), which are excerpts from  
22 deposition testimony that certain Defendants have designated "Highly  
23 Confidential"; and
- 24 c) Exhibits 3, 4, 5, 6, 7, 12, 16, 17, 18, 19, 20, 22, 23, 24, and 32 to the Brass  
25 Declaration, which are excerpts from expert reports, documents, and deposition  
26 testimony that certain Plaintiffs have designated "Confidential" or "Highly  
27 Confidential."

1           5)       The deposition excerpts listed in Paragraph 4(b) have been designated as “Highly  
 2 Confidential” by certain Defendants pursuant to the Protective Order because they contain  
 3 confidential, nonpublic, and highly sensitive business information. Based on information and belief,  
 4 including the treatment of the same or similar documents in connection with other filings in this case,  
 5 Exhibits 8, 9, and 10 contain quotes from, and/or summarize confidential, nonpublic, proprietary and  
 6 highly sensitive business information, including, among other commercially sensitive business  
 7 information and strategies, confidential information about the Defendants’ sales processes, business  
 8 practices, internal practices, negotiating tactics, confidential business and supply agreements and/or  
 9 competitive positions. Upon information and belief, publicly disclosing this sensitive information  
 10 presents a risk of undermining the Defendants’ relationships, would cause harm with respect to the  
 11 Defendants’ competitors and customers, and would put the Defendants at a competitive disadvantage.

12           6)       Page and lines 7:05-:15 of Defendants’ Joint MIL Oppositions contain quotations or  
 13 reference confidential information from the Exhibits in Paragraph 5 that certain Defendants have  
 14 designated “Confidential” or “Highly Confidential.” I understand that the Defendants consider such  
 15 statements in the Joint MIL Oppositions to be confidential and proprietary for the same reasons as the  
 16 underlying exhibits, as set forth in Paragraph 5.

17           7)       Pursuant to Civil Local Rules 7-11 and 79-5(d), this Court’s General Order No. 62,  
 18 Electronic Filing of Documents Under Seal, effective May 10, 2010, and the Protective Order,  
 19 Exhibits 3, 4, 5, 6, 7, 12, 16, 17, 18, 19, 20, 22, 23, 24, and 32 to the Brass Declaration should be  
 20 maintained under seal pending further supporting declarations from the designating parties. Under  
 21 the Protective Order, it is the burden of the parties designating Exhibits 3, 4, 5, 6, 7, 12, 16, 17, 18,  
 22 19, 20, 22, 23, 24, and 32 as “Confidential” or “Highly Confidential” to demonstrate that those  
 23 materials should remain under seal.

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Executed this 27th day of February 2015, at San Francisco, California.

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DECLARATION OF RACHEL S. BRASS IN SUPPORT OF DEFENDANTS' ADMINISTRATIVE MOTION TO SEAL  
MASTER CASE NO. 07-CV-5944 SC

**DECLARATION OF SERVICE**

I, Joseph Hansen, declare as follows:

I am employed in the County of San Francisco, State of California; I am over the age of eighteen years and am not a party to this action; my business address is 555 Mission Street, Suite 3000, San Francisco, California, 94105, in said County and State. On the date below, I served the within:

**DECLARATION OF RACHEL S. BRASS IN SUPPORT OF DEFENDANTS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL PURSUANT TO CIVIL LOCAL RULES 7-11 AND 79-5(d) DOCUMENTS RELATED TO DEFENDANTS' JOINT OPPOSITIONS TO DIRECT ACTION PLAINTIFFS' MOTIONS IN LIMINE NOS. 1-18 AND INDIRECT PURCHASER PLAINTIFFS' MOTIONS IN LIMINE NOS. 2, 3, 8, 9, 12, 13, 15, 16, & 18**

to all named counsel of record as follows:

☒ **BY ECF (ELECTRONIC CASE FILING):** I e-filed the above-detailed documents utilizing the United States District Court, Northern District of California's mandated ECF (Electronic Case Filing) service on February 27, 2015. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the documents upon confirmation of e-filing.

I certify under penalty of perjury that the foregoing is true and correct, that the foregoing document(s) were printed on recycled paper, and that this Declaration of Service was executed by me on February 27, 2015, at San Francisco, California.

/s/ Joseph Hansen

Joseph Hansen

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